

**PLANNED UNIT DEVELOPMENT
& SUBDIVISION STAFF REPORT****Date: November 5, 2015****DEVELOPMENT NAME**

Cosgrove Subdivision, Revised

SUBDIVISION NAME

Cosgrove Subdivision, Revised

LOCATION5464 Norden Drive South
(West terminus of Lusann Drive extending to the West
terminus of Norden Drive South)**CITY COUNCIL
DISTRICT**

District 7

AREA OF PROPERTY16 Lots / 6.1 ± acres Subdivision
15 Lots / 6.1 acres PUD**CONTEMPLATED USE**Planned Unit Development Approval to amend a
previously approved Planned Unit Development to allow
reduced front, side, and rear yard setbacks and increased
site coverage in a proposed subdivision.**TIME SCHEDULE
FOR DEVELOPMENT**Roadway construction to be completed within the next
month, with total build out of houses within 3 years.**ENGINEERING
COMMENTS****Subdivision:** The following comments should be addressed prior to submitting the FINAL
PLAT for acceptance and signature by the City Engineer:

- A. Provide a Location Map.
- B. Provide survey data – boundary lines with length and bearings, 2' contours, existing drainage conditions and features.
- C. Location, width, purpose of existing and proposed easements.
- D. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors.
- E. Provide curve data on the proposed ROW.
- F. Provide a written legal description.
- G. Show and label all flood zones. Flood zone boundary appears to encroach on LOTS 1 & 2.
- H. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation.
- I. Show and label each and every Right-Of-Way and easement.
- J. Provide and label the monument set or found at each subdivision corner.

- K. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer.
- L. Provide the Surveyor's Certificate and Signature.
- M. Provide the Surveyor's, Owner's (notarized), Planning Commission, and Traffic Engineering signatures.
- N. Show the recording information for the vacated ROW.
- O. Add a note to the SUBDIVISION PLAT stating that a Land Disturbance permit will be required for any land disturbing activity in accordance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control.
- P. Add a note to the Plat stating that the approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit.
- Q. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of development, unless a sidewalk waiver is approved.
- R. Provide a copy of the FINAL PLAT to the Engineering Dept. for review prior to obtaining any signatures.
- S. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.

Planned Unit Development:

- 1. According to the FEMA flood map information, this property is located within a Special Flood Hazard Area. You will need to show and label the flood hazard area(s) on your plat and plans. Also, you will need to list the Minimum Finished Floor Elevation (MFFE) for each lot 1-6.

ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN:

- 1. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII).
- 2. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems, paving, and all above ground structures, will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work.
- 3. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control.

4. Each Lot Owner shall be required to submit a Land Disturbance Permit application with the initial construction of a single family dwelling or other impervious surface (shed, driveway, slab, asphalt, gravel, etc.).
5. The detention facility shall be maintained as it was constructed and approved.
6. The approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals.
7. The proposed development must comply with all Engineering Department design requirements and Policy Letters.

TRAFFIC ENGINEERING

COMMENTS

Each lot and common area with road frontage is limited to one curb cut each, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.

URBAN FORESTRY

COMMENTS

Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64).

FIRE DEPARTMENT

COMMENTS

All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code). Projects outside the City Limits of Mobile, yet within the Planning Commission Jurisdiction fall under the State or County Fire Code (2012 IFC).

MAWSS COMMENTS

MAWSS has water and sewer services available, but a Capacity Assurance application for additional sewer service has not been applied for. MAWSS cannot guarantee additional sewer service until a Capacity application is approved by Volkert Engineering, Inc.

REMARKS

The applicant is requesting Planned Unit Development Approval to amend a previously approved Planned Unit Development to allow reduced front, side, and rear yard setbacks and increased site coverage in a proposed subdivision, and Subdivision approval to create 16 lots from one legal lot of record and a two tax parcels. The site is located in Council District 7, and according to the applicant is served by public water and sanitary sewer.

The site was most recently before Planning Commission, at its April 16, 2015 meeting, to amend a previously approved Subdivision and Planned Unit Development requests to allow a total of 15 lots. The site also came before the Planning Commission in February 2015, to allow reduced side yard setbacks and increased site coverage for a proposed 13-lot subdivision. Prior to both the 2015 requests, there were also two additional Subdivision and PUD applications submitted in

2013; all of which have expired or have been withdrawn. This group request now is simply to amend the setbacks, increase the building footprints, and create a common area.

Planned Unit Development review examines the site with regard to its location to ensure that it is generally compatible with neighboring uses; that adequate access is provided without generating excess traffic along minor residential streets in residential districts outside the PUD; and that natural features of the site are taken into consideration. PUD review also examines the design of the development to provide for adequate circulation within the development; to ensure adequate access for emergency vehicles; and to consider and provide for protection from adverse effects of adjacent properties as well as provide protection of adjacent properties from adverse effects from the PUD. PUD approval is site plan specific, thus any changes to the site plan / Subdivision plat will require approval by the Planning Commission.

Subdivision review examines the site with regard to promoting orderly development, protecting general health, safety and welfare, and ensuring that development is correlated with adjacent developments and public utilities and services, and to ensure that the subdivision meets the minimum standards set forth in the Subdivision Regulations for lot size, road frontage, lot configuration, etc.

The site fronts the western termini of Lusann Drive and Norden Drive South. New road construction, connecting Lusann Drive to Norden Drive South is proposed, providing road frontage for the proposed lots.

Access management is a concern due to the fact that most of the lots within the PUD will have limited frontage. Each lot should be limited one curb-cut, with the size, design and location to be approved by Traffic Engineering and conform to AASHTO standards. In order to facilitate access for maintenance within the Common Area, the main Common Area with road frontage should be limited to one curb-cut, with the size, design and location to be approved by Traffic Engineering.

The site is zoned R-1, Single-Family Residential District, thus the single-family residential use is allowed by right. This district normally allows up to 35% site coverage and a 25-foot front yard setback and 8-foot side and rear yard setbacks. However, the applicant is requesting 5-foot minimum side yard setbacks, 15-foot minimum front yard setbacks and 8-foot rear yard setback for all lots within the PUD. It should be pointed out that majority of the lots will have an increased rear yard setback due to the fact there are easements along the rear of most of the lots. The applicant provided a chart that lists the lot number, size, setbacks, and building footprint; however the chart should be revised to depict the actual setback distance for each lot's setbacks instead of listing the word "easement". The applicant is also requesting that the site coverage for Lots 4-10 be increased from 35% to 40%.

It should be pointed out that Lots 1, 13, and 14 abut existing, developed lots. Typically the side yard setback in PUD's is required to be at least 8 feet where the PUD abuts existing residential development. Therefore, a side yard setback of 8 feet should be required along the South boundary of Lot 1, and East boundary of Lots 13 and 14. It should also be pointed out that several of the lots have proposed drainage and utility easements ranging from 10 + feet in width, which will preclude the requested 5-foot side yard setback: thus the side yard setbacks for these lots, where they include the easement, should match the easement width on that side of the lot.

With reduced side yard setbacks comes a concern regarding the location of the condenser units for the HVAC systems for the homes. The Zoning Ordinance places the following limits regarding the placement of items higher than 3 feet in side yards: *“Ordinary projections of sills, belt courses, cornices, buttresses, eaves, and similar architectural features, and necessary mechanical features may project not more than two (2) feet into any yard.”* Therefore, the applicant should be mindful of this requirement when siting HVAC condenser units, generators, etc. Furthermore, it should be noted that this type of equipment cannot be placed in any easements.

Multiple drainage, utility and sanitary sewer easements exist or are proposed for the site. A note should be placed on the PUD site plan and plat, if approved, stating that no structure or equipment (generators, HVAC condensers, etc.) may be built within any easements.

As common areas and detention basin common areas are proposed for the PUD, a note should be placed on the PUD site plan and plat, if approved, stating that maintenance of the detention basin common areas, and any other common areas, are the responsibility of the subdivision's property owners.

A sidewalk waiver application was not submitted with the applications, thus sidewalks will be required within the PUD development for all new homes. No sidewalk would be required along the proposed common area.

As the PUD site abuts the floodway and drainage easement for Twelve Mile Creek, safety is of concern. A six-foot high wooden privacy fence should be placed along the rear of Lots 2-8, where they abut the floodway and drainage easement for Twelve Mile Creek. The fence should be provided as each lot is developed, subject to Engineering approval due to possible drainage issues.

RECOMMENDATION

Subdivision: Based upon the preceding, the application is recommended for Tentative Approval, subject to the following conditions:

- 1) all new road construction must comply with Engineering Department requirements;
- 2) revision of the plat to depict the 15' minimum building setback lines along all street frontages for lots 1-15;
- 3) placement of a note on the Final Plat stating that each lot is limited to one curb-cut, with the size, design and location to be approved by Traffic Engineering and conform to AASHTO standards;
- 4) revision of the plat to label each lot with its size in square feet and acres, or the furnishing of a table on the Final Plat providing the same information;
- 5) retention of the labeling of all common areas, including detention common areas, and placement of a note on the Final Plat stating that the maintenance of the common areas is the responsibility of the property owners;
- 6) provision of sidewalks along all new streets within the development where the construction of new homes will occur;

- 7) compliance with the Engineering comments: *“The following comments should be addressed prior to submitting the FINAL PLAT for acceptance and signature by the City Engineer: A. Provide a Location Map. B. Provide survey data – boundary lines with length and bearings, 2’ contours, existing drainage conditions and features. C. Location, width, purpose of existing and proposed easements. D. Provide all of the required information on the SUBDIVISION PLAT (i.e. signature blocks, signatures, certification statements, written legal description, required notes, legend, scale, bearings and distances) that is required by the current Alabama State Board of Licensure for Professional Engineers and Land Surveyors. E. Provide curve data on the proposed ROW. F. Provide a written legal description. G. Show and label all flood zones. Flood zone boundary appears to encroach on LOTS 1 & 2. H. Show and label the MFFE (Minimum Finished Floor Elevation) on each lot that contains an AE, V, or X (shaded) flood zone designation. I. Show and label each and every Right-Of-Way and easement. J. Provide and label the monument set or found at each subdivision corner. K. Add a signature block for the Owner, Notary Public, Planning Commission, Traffic Engineer, and City Engineer. L. Provide the Surveyor’s Certificate and Signature. M. Provide the Surveyor’s, Owner’s (notarized), Planning Commission, and Traffic Engineering signatures. N. Show the recording information for the vacated ROW. O. Add a note to the SUBDIVISION PLAT stating that a Land Disturbance permit will be required for any land disturbing activity in accordance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. P. Add a note to the Plat stating that the approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. Q. Add a note that sidewalk is required to be constructed, and/or repaired, along the frontage of each lot, or parcel, at time of development, unless a sidewalk waiver is approved. R. Provide a copy of the FINAL PLAT to the Engineering Dept. for review prior to obtaining any signatures. S. Provide a copy of the Final Plat along with the original when submitting for City Engineer signature.”;*
- 8) compliance with the Traffic Engineering comments: *“Each lot and common area with road frontage is limited to one curb cut each, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.”;*
- 9) compliance with the Urban Forestry comments: *“Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64).”;*
- 10) compliance with the Fire Department comments: *“All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code). Projects outside the City Limits of Mobile, yet within the Planning Commission Jurisdiction fall under the State or County Fire Code (2012 IFC).”;*
- 11) submission of a revised PUD site plan prior to the signing of the Final Plat; and
- 12) completion of the Subdivision process prior to any request for permits for new home-related land disturbance or construction.

Planned Unit Development: Based upon the preceding, this application is recommended for Approval, subject to the following conditions:

- 1) depiction and labeling of the front (15 feet +), side (5 feet) and rear (8 feet) setbacks for all lots, with the exception of Lot 1 which will have a side yard setback on the South boundary of 8 feet, and Lots 13 and 14, which will have a side yard setback on the East boundary of 8 feet, and for all lots where the side yard setback on one side shall match the width of the proposed drainage and utility easements, where the easements are greater than 5 feet;
- 2) retention of labeling of the maximum site coverage allowed for all lots;
- 3) retention of the labeling of each lot with its size in square feet and acres, or the furnishing of a table on the site plan providing the same information;
- 4) revision of the "Proposed Lot Setbacks and Building Footprint Coverage" chart to depict the physical distance of the each lots setbacks instead of listing the word "easement";
- 5) revision of the site plan to depict and label the provision of a six-foot high wooden privacy fence placed along the rear of Lots 2-8, where they abut the floodway and drainage easement for Twelve Mile Creek, to be constructed as each lot is developed, subject to Engineering approval due to possible drainage issues;
- 6) all new road construction must comply with Engineering Department requirements;
- 7) placement of a note on the site plan stating that each lot and common area is limited to one (1) curb-cut each, with the size, design and location of all curb-cuts to be approved by Traffic Engineering;
- 8) placement of a note on the site plan stating that no structure, including HVAC and similar mechanical equipment, may be built within any easements;
- 9) retention of the labeling of all common areas, including detention common areas, and placement of a note on the site plan stating that the maintenance of the common areas is the responsibility of the property owners;
- 10) provision of sidewalks along all new streets within the development, on the side of the street where new homes will be constructed (excludes common area and lot with existing house);
- 11) compliance with Engineering comments: *"According to the FEMA flood map information, this property is located within a Special Flood Hazard Area. You will need to show and label the flood hazard area(s) on your plat and plans. Also, you will need to list the Minimum Finished Floor Elevation (MFFE) for each lot 1-6. ADD THE FOLLOWING NOTES TO THE PUD SITE PLAN: 1. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 2. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems, paving, and all above ground structures, will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work. 3. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control); the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation*

Control and Storm Water Runoff Control. 4. Each Lot Owner shall be required to submit a Land Disturbance Permit application with the initial construction of a single family dwelling or other impervious surface (shed, driveway, slab, asphalt, gravel, etc.). 5. The detention facility shall be maintained as it was constructed and approved. 6. The approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals. 7. The proposed development must comply with all Engineering Department design requirements and Policy Letters.”;

- 12) compliance with the Fire Department comments: *“All projects within the City Limits of Mobile shall comply with the requirements of the City of Mobile Fire Code Ordinance (2012 International Fire Code). Projects outside the City Limits of Mobile, yet within the Planning Commission Jurisdiction fall under the State or County Fire Code (2012 IFC).”;*
- 13) compliance with the Traffic Engineering comments: *“Each lot and common area with road frontage is limited to one curb cut each, with size, location and design to be approved by Traffic Engineering and conform to AASHTO standards.”;*
- 14) compliance with the Urban Forestry comments: *“Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64).”;*
- 15) compliance with Zoning Ordinance restrictions regarding items within side yard setbacks *(Ordinary projections of sills, belt courses, cornices, buttresses, eaves, and similar architectural features, and necessary mechanical features may project not more than two (2) feet into any yard.);*
- 16) submission of a revised PUD site plan prior to the signing of the Final Plat;
- 17) completion of the Subdivision process prior to any request for permits for new home-related land disturbance or construction; and
- 18) compliance with all other municipal codes and ordinances.

LOCATOR MAP



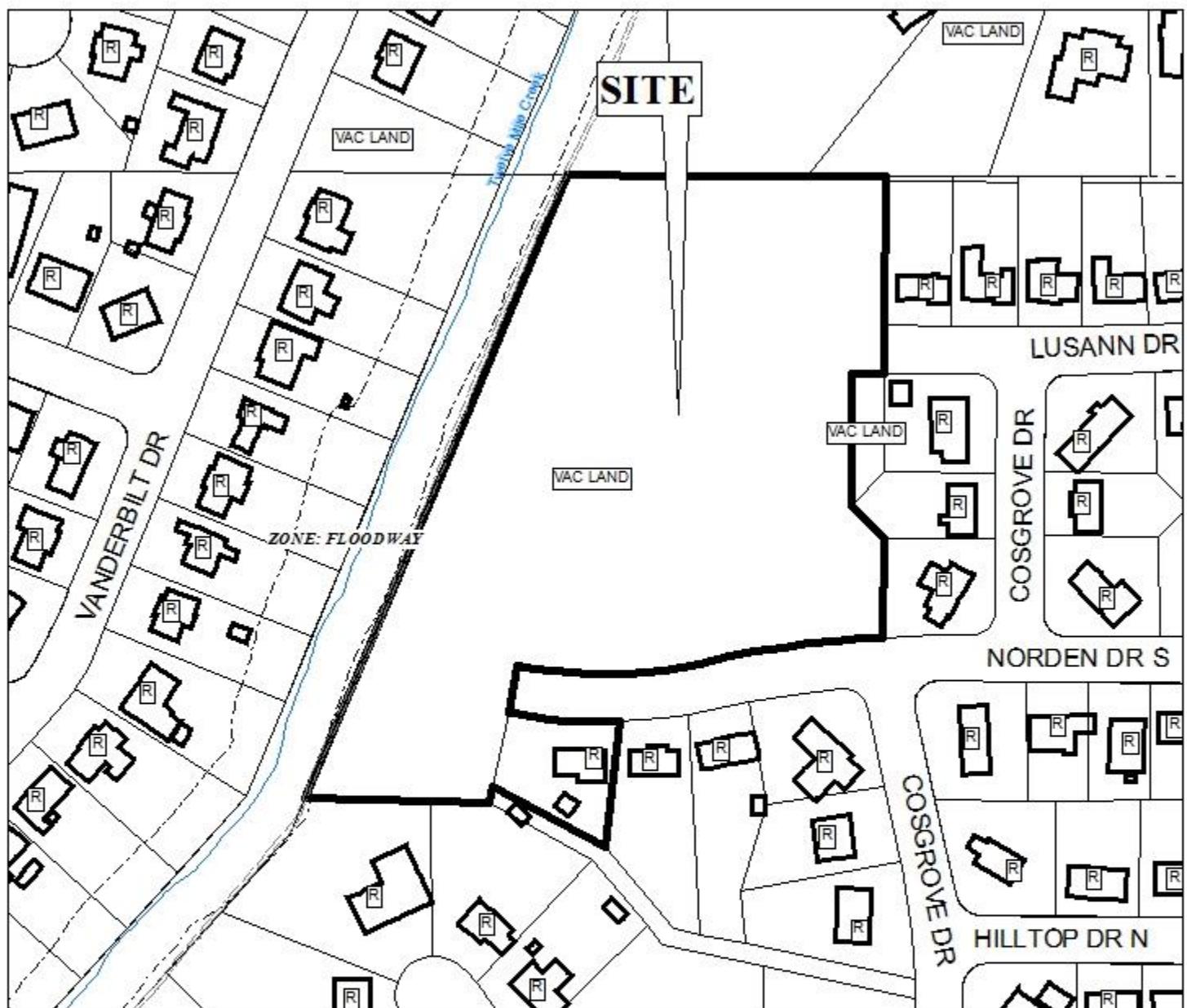
APPLICATION NUMBER 21 DATE November 5, 2015

APPLICANT Cosgrove Sudivision Revised

REQUEST Sudivision, Planned Unit Development



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by single family residential units.

APPLICATION NUMBER 21 DATE November 5, 2015

APPLICANT Cosgrove Suddivision Revised

REQUEST Suddivision, Planned Unit Development

R-A	R-3	T-B	B-2	B-5	MUN	SD-WH	T5.1
R-1	R-B	B-1	B-3	I-1	OPEN	T3	T5.2
R-2	H-B	LB-2	B-4	I-2	SD	T4	T6



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by single family residential units.

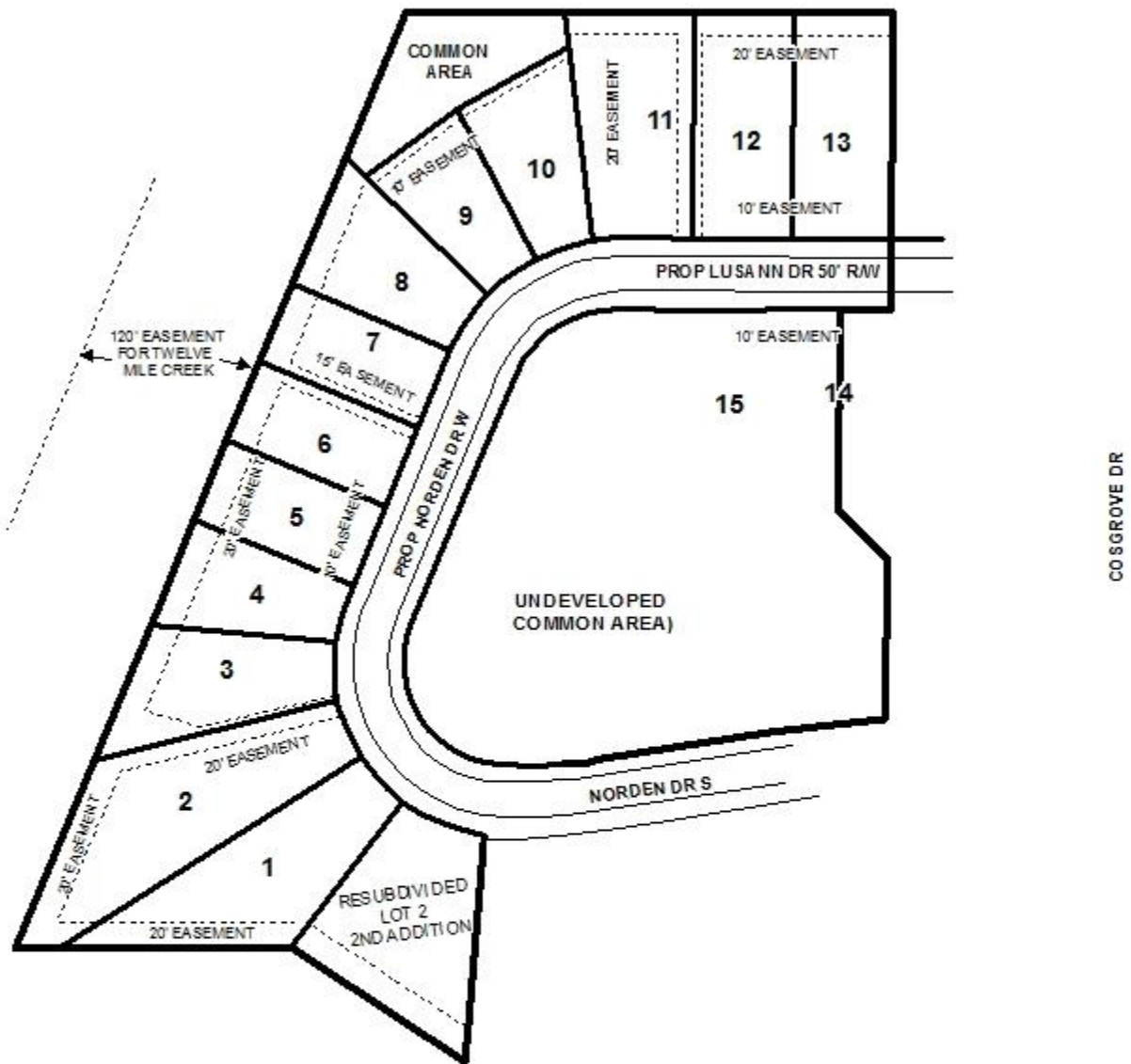
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SITE PLAN



The site plan illustrates the proposed lots, easements, and roads.

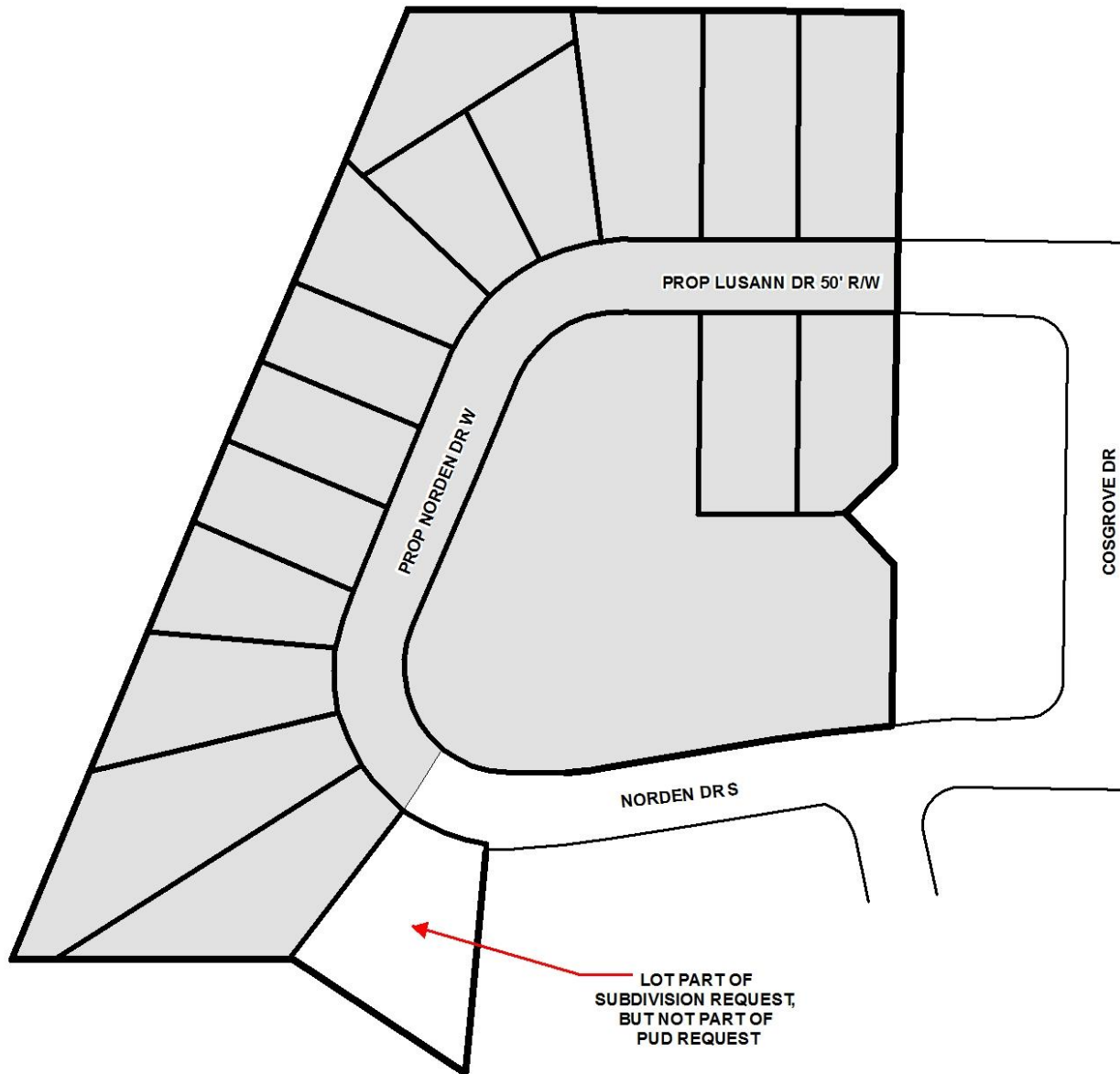
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APPLICANT Cosgrove Sudivision Revised

REQUEST Sudivision, Planned Unit Development



DETAIL SITE PLAN



APPLICATION NUMBER 21 DATE November 5, 2015

APPLICANT Cosgrove Subdivision, Revised

REQUEST Sudivision, Planned Unit Development

